

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

REV. WILLIE MCCRANIE-EL,

Plaintiff,

v.

STEVE LARKINS, et al.,

Defendants.

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No. 4:10-CV-312 CAS


ORDER

In accordance with the pretrial conference held in this matter on April 10, 2012, and as announced from the bench;

IT IS HEREBY ORDERED that defendants Melissa Blyze, Karen Madison, Carl Brawley, Clayton Agnew, and Kevin Boyer's motion in limine is **DENIED** in part and **DENIED** in part as **moot**. The motion is **DENIED** to the extent defendants seek to exclude evidence of or reference to: (1) defendants' alleged violations of Department of Corrections or Eastern Reception, Diagnostic, and Correctional Center's policies or practices, written or unwritten; (2) the condition of plaintiff's body before and after the use-of-force incident, and the pain and suffering plaintiff alleges he endured; and (3) defendants' actions immediately after the use-of-force incident, including whether defendants prevented plaintiff from taking a shower and/or placed him in a cell with no running water. Defendants' motion in limine is also **DENIED** in part to the extent defendants seek to introduce evidence of plaintiff's prior felony convictions. Under Federal Rule of Evidence 609, defendants may introduce evidence of or refer to plaintiff's felony convictions for kidnaping and tampering with a motor vehicle. Defendants, however, shall not introduce evidence of or refer to plaintiff's felony convictions for violence against or endangering correctional officers,

as such evidence would be unfairly prejudicial under Federal Rule of Evidence 403. In all other respects, defendants' motion is **DENIED as moot**, as plaintiff's counsel has indicated he does not object to the items of evidence sought to be limited, or those sought to be introduced by defendants.

[Doc. 144]



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 11th day of April, 2012.